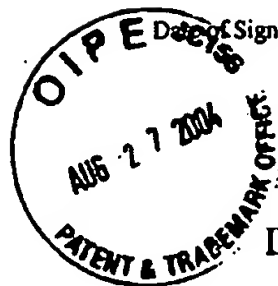


I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as First Class Mail in an envelope addressed to: Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450

Date of Signature and Deposit: August 24, 2004

Nicholas J Seay



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant: James A. Thomson

Date: August 24, 2004

Serial No.: 09/982,637

Group Art Unit: 1632

Filed: 10/18/2001

Examiner: Joseph T. Voitach

For: PRIMATE EMBRYONIC STEM CELLS

Docket No.: 960296.97877

RESPONSE

Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

By an Office Action dated June 25, 2004 in the file of this application, this application was again rejected.

In the Office Action, the sole remaining grounds of rejection was a rejection for obviousness-type double patenting. Enclosed with this response is a Terminal Disclaimer executed by the undersigned, attorney of record in the above-identified application. It is believed this submission of this Terminal Disclaimer obviates the only ground of rejection applied against the claims of this application. Accordingly, reconsideration of the merits of the application, and formal allowance of the application, is respectfully requested.

This document is submitted within the time period for an expedited response for an action after final.

Respectfully submitted,

Nicholas J Seay

Reg. No. 27,386

Attorney for Applicant

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